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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,241	06/07/2000	John Mark Dammrose	ATTW01-00025	9995
34700	7590	04/06/2004	EXAMINER	
DOCKET CLERK P.O. BOX 802432 DALLAS, TX 75380			KNOWLIN, THJUAN P	
			ART UNIT	PAPER NUMBER
			2642	7

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/589,241

Applicant(s)

DAMMROSE ET AL.

Examiner

Thjuan P Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-19 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Eskafi et al (US 6,438,223).
3. In regards to claims 1 and 12, Eskafi discloses in a quasi-associated signaling communications network including a terminating remote communication device, a method and system of establishing a network signal path, the method comprising: receiving a first telephone number for a terminating remote communication device; searching for Local Routing Number (LRN) instructions, associated with the first telephone number; using the LRN instructions, establishing a signal connection to a service node (SCP 60, IP, SSP, LNP-SCP, col. 3 lines 46-65, and col. 11-12 lines 66-18) which monitors services; establishing a signal connection between the service node and the terminating remote communication device; and using the service node, monitoring signals to the terminating remote communication (col. 4-5 lines 60-13, col. 5 lines 34-57, and col. 13-14 lines 60-4).
4. In regards to claims 2, 13, 14, and 23, Eskafi discloses the method and system, wherein the service node is a Service Control Point (SCP) (SCP 60); in which the signal connection between the service node and the terminating remote communication device

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is an out-of-band signal connection; and in which the monitoring of signals by the SCP includes monitoring out-of-band signals (col. 9 lines 36-51 and col. 12 lines 38-55).

5. In regards to claim 3, Eskafi discloses the method, in which monitoring the out-of-band signals includes determining the network services provided to the terminating remote communication device (col. 4-5 lines 60-27 and col. 5 lines 43-67).

6. In regards to claim 4, Eskafi discloses the method, in which the monitoring of services includes determining services selected from the group including prepaid caller plans and universal number plans (col. 3 lines 54-65).

7. In regards to claims 5 and 9, Eskafi discloses the method, in which the establishment of a signal connection between the service node and the terminating remote communications device includes establishing a trunk route for voice communications (col. 3-4 lines 66-13 and col. 9-10 lines 58-10).

8. In regards to claims 6 and 15, Eskafi discloses the method and system, wherein the service node is selected from the group including Intelligent Peripherals (IP)s, Service Switching Point (SSP), and combinations of IPs and SSPs (col. 3 lines 47-65, col. 9 lines 21-29, and col. 11-12 lines 66-18).

9. In regards to claims 7, 16, 24, and 25, Eskafi discloses the method and system, wherein the service node is an IP, the method further comprising: establishing a signal connection through the IP to monitor voice communications services selected from the group including voice mail, call screening, voice recognition, and other services involving voice capture and announcement (col. 3 lines 54-65 and col. 10 lines 11-26).

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10. In regards to claims 8 and 22, Eskafi discloses the method, wherein a Local Number Portability (LNP) database is accessed, the method further comprising: determining if the first telephone number is a ported number; searching for the first number in an LNP database; and in which the search for the associated Local Routing Number (LRN) includes retrieving the LRN instructions from the LNP database (col. 4-5 lines 60-13 and col. 13-14 lines 60-11).

11. In regards to claims 10, 17, and 19, Eskafi discloses the method and system, wherein a Switch Signal Point (SSP) and a terminating switch are accessed, and in which establishment of the signal connection between the service node and the terminating remote communications device includes: routing voice communication between the terminating remote communication device and a terminating switch associated with the terminating remote communication device; trunking between the terminating switch and an SSP; and routing the voice communications between the SSP and the originating remote communication device (col. 9 lines 21-29 and col. 9-10 lines 58-10).

12. In regards to claims 11 and 18, Eskafi discloses the method and system, wherein the terminating remote unit is a wireless telephone and the terminating switch associated with the first number is a Mobile Switching Center (MSC) (mobile switching center 102) for a wireless network; and in which routing of voice communications between the terminating switch and the terminating remote communications device includes establishing voice communication between the MSC and the terminating remote communication device (col. 9-10 lines 58-10).

Claim Rejections - 35 USC § 103

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eskafi et al (US 6,438,223).

15. In regards to claims 20 and 21, Eskafi discloses all of claims 20 and 21 limitations, except the system and method, in which said service node monitors communications with said terminating remote communication device to provide billing information associated with network services used by said terminating remote communication device. However, it is well known in the art to have billing information determined and provided to a system, by a service node, in order for a terminating telephone to be properly charged and billed for the services used.

Response to Arguments

16. Applicant's arguments filed 01/09/04 have been fully considered but they are not persuasive. Applicant states that Eskafi does not describe that the SCP (service node) or any other component actually monitors services. Examiner respectfully disagrees with this argument. Eskafi does describe that the SCP (service node) and IP monitors services (col. 3 lines 54-65, col. 4 lines 14-21, and col. 9 lines 36-51). Applicant further states that Eskafi fails to disclose "a service node connected in the signal path ... said LNP database supplying the LRN instruction to said service node ... in which said

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service node provides network services to said terminating remote communication device.” Eskafi does disclose “a service node connected in the signal path ... said LNP database (LNP-SCP 62) supplying the LRN instruction to said service node (SCP 60) ... in which said service node provides network services to said terminating remote communication device” (col. 5 lines 43-57, col. 9 lines 36-51, and col. 11 lines 53-65).

Conclusion

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

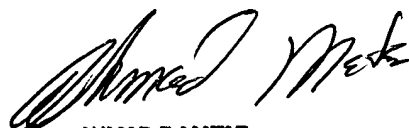
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

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20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin
March 31, 2004


AHMAD F. MATAR
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